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THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Marc H. Hedrick, et al. **Examiner:** Not Yet Known
Serial No.: 09/936,665 **Group Art Unit:** 1642
Filed: September 10, 2001 **Docket No.:** 30448.77USW1
Title: ADIPOSE-DERIVED STEM CELLS AND LATTICES

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231 on February 22, 2002.


By: Tracy Huick**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. §1.97(b)(3))**

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. They are as follows:

- U.S. Patent No. 5,486,359, published January 23, 1996, Caplan et al. **(EXHIBIT 1)**
- U.S. Patent No. 5,728,739, published March 17, 1998, Ailhaud et al., **(EXHIBIT 2)**
- U.S. Patent No. 5,827,740, published October 27, 1998, Pittenger **(EXHIBIT 3)**
- U.S. Patent No. 5,827,897, published October 27, 1998, Ailhaud et al. **(EXHIBIT 4)**
- PCT Patent application WO 98/04682 published February 5, 1998 **(EXHIBIT 5)**
- Considine, et al., "Paracrine stimulation of preadipocyte-enriched cell cultures by mature adipocytes," *American Journal of Physiology* 1996 270(5) E895-E899 **(EXHIBIT 6)**
- Dani, et al., "Differentiation of embryonic stem cells into adipocytes in vitro," *J. Cell Sci.* 1997 110, 1279-1285 **(EXHIBIT 7)**

- Entenmann, et al., "Relationship between replication and differentiation cultured human adipocyte precursor cells," *American Phys.Soc.* 1996 270,C1011-C1016 (**EXHIBIT 8**)
- Eslami Varzaneh, et al., "Extracellular Matrix Components Secreted by Microvascular Endothelial Cells Stimulate Preadipocyte Differentiation In Vitro," *Metabolism* 1994 43 (7), 906-912 (**EXHIBIT 9**)
- Hauner, et al., "Endothelin-1 Inhibits the Adipose Differentiation of Cultured Human Adipocyte Precursor Cells," *Metabolism* 1994 43(2) pp 227-232 (**EXHIBIT 10**)
- Hausman, et al., "The Influence of Extracellular Matrix Substrata on Preadipocyte Development in Serum-Free Cultures of Stromal-Vascular Cells," *J. Anim.Sci.* 1996 74(9), 2117-2128 (**EXHIBIT 11**)
- Hui-Ling et al., "Increased expression of G in mouse embryo stem cells promotes terminal differentiation to adipocytes," *American Physiological Society* 1993 265(6), C1729-C1735 (**EXHIBIT 12**)
- Marko, et al., "Isolation of a Preadipocyte Cell Line from Rat Bone Marrow and Differentiation to Adipocytes," *Endocrinology* 1995 136(10), 4582-4588 (**EXHIBIT 13**)
- Shillabeer, et al., "A novel method for studying preadipocyte differentiation *in vitro*," *Intl. J. Obesity* 1996 20(Supp. 3), S77-S83 (**EXHIBIT 14**)
- Sorisky et al., "From preadipocyte to Adipocyte: Differentiation-Directed Signals of Insulin from the Cell Surface to the Nucleus," *Critical Review in Clinical Laboratory Sciences* 1999 36(1), 1-34 (**EXHIBIT 15**)

- Vassaux, et al., "Proliferation and differentiation of Rat Adipose Precursor Cells in Chemically Defined Medium: Differential Action of Anti-Adipogenic Agents," *Journal of Cellular Physiology* 1994 161(2), 249-256 (**EXHIBIT 16**)
- Wabitsch, et al., "Biological Effects of Human Growth Hormone in Rat Adipocyte Precursor Cells and Newly Differentiated Adipocytes in primary Culture," *Metabolism* 1996 Vol 45, No. 1 pp34-42 (**EXHIBIT 17**)
- Young et al., "Mesenchymal Stem Cells Reside Within the Connective Tissues of Many Organs," *Developmental Dynamics* 1995 202(2), 137-144 (**EXHIBIT 18**)

This statement should be considered because it is submitted before the mailing date of the first Office Action on the merits according to 37 C.F.R. §1.97(b)(3). In accordance with 37 C.F.R. §1.98(a)(2), copies of each document or other information listed on the enclosed Form 1449 are provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that the references have been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

No fee is deemed necessary in connection with the filing of this Information Disclosure Statement. However, if any additional fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 50-0306.

Respectfully submitted,

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By: 
Name: Tracy Truick

Assistant Commissioner for Patents
Washington, D.C. 20231

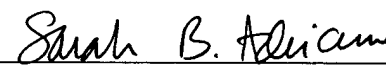
Sir:

We are transmitting herewith the attached:

- ☒ Transmittal sheet, in duplicate, containing Certificate under 37 CFR 1.8.
- ☒ Information Disclosure Statement (37 C.F.R. §1.97(b)(3))
- ☒ Form 1449 (Information Disclosure Statement) (2 sheets)
- ☒ Exhibits 1 - 18
- ☒ Return postcard

Please charge any additional fees or credit overpayment to Deposit Account No. 50-0306. A duplicate of this sheet is enclosed.

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